

# **EXHIBIT – D**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

Index No.:  
Date Purchased: 11/04/2021

-----X  
SALVADOR VERAS,

**SUMMONS**

Plaintiff,

Plaintiff designates **BRONX**  
County as the place of trial.

-against-

The basis of venue is:  
**SITE OF OCCURRENCE**

A. DUE PYLE, INC., and  
CAROS QUINONES MONTANEZ,

Defendants.

-----X County of **BRONX**

**To the above named Defendants:**

**You are hereby summoned** to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
November 3, 2021

**YADGAROV & ASSOCIATES, PLLC**



ROBERT YADGAROV, ESQ.  
Attorneys for Plaintiff  
**SALVADOR VERAS**  
820 Second Avenue-Suite 1100  
New York, New York 10017  
(212) 581-2500  
Our File: 21-4341

**FILED: BRONX COUNTY CLERK 11/04/2021 03:28 PM**

INDEX NO. 815091/2021E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 11/04/2021

TO:

**A DUIE PYLE, INC.**  
650 Westtown Road  
West Chester, PA 19382

**CARLOS QUINONES- MONTANA**  
221 Willow Street  
New Britain, CT 06051

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X  
SALVADOR VERAS,

Plaintiff,

-against-

A. DUIE PYLE, INC., and  
CAROS QUINONES MONTANEZ,

Defendants.  
-----X

Index No.:  
Date Purchased: 11/04/2021

**VERIFIED COMPLAINT**

Plaintiff, by his attorneys, **YADGAROV & ASSOCIATES, PLLC**, complaining of the  
Defendants, respectfully alleges upon information and belief:

**AS AND FOR A FIRST CAUSE OF ACTION  
ON BEHALF OF PLAINTIFF SALVADOR VERAS**

1. At all times herein mentioned, Plaintiff **SALVADOR VERAS** was, and still is, a resident of the County of Bergen and State of New Jersey.
2. At all times herein mentioned, Defendant **A. DUIE PYLE, INC.**, was, and still is, a foreign corporation authorized to do business in the State of New York.
3. At all times herein mentioned, Defendant **A. DUIE PYLE, INC.**, was, and still is, a maintained a principal place of business in the County of Chester, State of Pennsylvania.
4. At all times herein mentioned, Defendant **CARLOS QUINONES MONTANEZ** was, and still is, a resident of the County of Hartford, State of Connecticut.
5. That on September 8, 2021, and at all times herein mentioned, Defendant **A. DUIE PYLE, INC.**, was the owner of a 2021 Freightliner motor vehicle bearing PA State registration number AG98002.

6. That on September 8, 2021, and at all times herein mentioned, Defendant **CARLOS QUINONES MONTANEZ** operated the aforementioned 2021 Freightliner motor vehicle bearing PA State registration number AG98002.

7. That on September 8, 2021, and at all times herein mentioned, Defendant **CARLOS QUINONES MONTANEZ** operated the aforementioned 2021 Freightliner motor vehicle bearing PA State registration number AG98002 with the permission of Defendant **A. DUIE PYLE, INC.**

8. That on September 8, 2021, and at all times herein mentioned, Defendant **CARLOS QUINONES MONTANEZ** operated the aforementioned 2021 Freightliner motor vehicle bearing PA State registration number AG98002 with the knowledge of Defendant **A. DUIE PYLE, INC.**

9. That on September 8, 2021, and at all times herein mentioned, Defendant **CARLOS QUINONES MONTANEZ** operated the aforementioned 2021 Freightliner motor vehicle bearing PA State registration number AG98002 with the consent of Defendant **A. DUIE PYLE, INC.**

10. That on September 8, 2021, and at all times herein mentioned, Defendant **CARLOS QUINONES MONTANEZ** operated the aforementioned 2021 Freightliner motor vehicle bearing PA state registration number AG98002 in the scope of his employment with Defendant **A. DUIE PYLE, INC.**

11. That on September 8, 2021, and at all times herein mentioned, Defendant **A. DUIE PYLE, INC.**, managed the aforementioned motor vehicle.

12. That on September 8, 2021, and at all times herein mentioned, Defendant **CARLOS QUINONES MONTANEZ** managed the aforementioned motor vehicle.

13. That on September 8, 2021, and at all times herein mentioned, Defendant **A. DUIE PYLE, INC.**, maintained the aforementioned motor vehicle.

14. That on September 8, 2021, and at all times herein mentioned, Defendant **CARLOS QUINONES MONTANEZ** maintained the aforementioned motor vehicle.

15. That on September 8, 2021, and at all times herein mentioned, Defendant **A. DUIE PYLE, INC.**, controlled the aforementioned motor vehicle.

16. That on September 8, 2021, and at all times herein mentioned, Defendant **CARLOS QUINONES MONTANEZ** controlled the aforementioned motor vehicle.

17. That on September 8, 2021, and at all times herein mentioned, Plaintiff **SALVADOR VERAS** was the owner of a 2006 Dodge motor vehicle bearing NJ State registration number **Z79JHU**.

18. That on September 8, 2021, and at all times herein mentioned, Plaintiff **SALVADOR VERAS** was the operator of the 2006 Dodge motor vehicle bearing NJ State registration number **Z79JHU**.

19. At all times herein mentioned, at I-87 exit 7S ramp at or near the intersection with I-95, County of Bronx and State of New York were public roadways and thoroughfares.

20. That on September 8, 2021, Defendant **CARLOS QUINONES MONTANEZ** was operating the aforesaid motor vehicle owned by Defendant **A. DUIE PYLE, INC.** at the aforementioned location.

21. That on September 8, 2021, Plaintiff **SALVADOR VERAS** was operating the aforesaid motor vehicle at the aforementioned location.

22. That on September 8, 2021, the motor vehicle owned by Defendants **A. DUIE PYLE, INC.**, operated by Defendant **CARLOS QUINONES MONTANEZ** came into contact and collided with the motor vehicle owned and operated Plaintiff **SALVADOR VERAS** at the aforementioned location.

23. That as a result of the aforesaid contact, Plaintiff **SALVADOR VERAS** was injured.

24. That the aforesaid occurrence was caused wholly and solely by reason of the negligence, carelessness and recklessness of the Defendants, and without any fault or negligence on the part of the Plaintiff contributing thereto.

25. That Defendants were negligent, careless and reckless in the ownership, operation, management, maintenance, supervision, use and control of the aforesaid vehicle and the Defendants were otherwise negligent, careless and reckless under the circumstances then and there prevailing.

26. That Plaintiff **SALVADOR VERAS** sustained serious injuries as defined by §5102(d) of the Insurance Law of the State of New York.

27. Upon information and belief, the Plaintiff is a “covered person” as defined by §5102 of the Insurance Law of the State of New York.

28. That Plaintiff **SALVADOR VERAS** sustained serious injury and economic loss greater than basic economic loss as defined by §5104 of the Insurance Law of the State of New York.

29. The Plaintiff is not seeking to recover any damages for which Plaintiff has been reimbursed by no-fault insurance and/or for which no-fault insurance is obligated to reimburse Plaintiff. Plaintiff is seeking to recover only those damages not recoverable through no-fault insurance under the facts and circumstances in this action.

30. That this action falls within one or more of the exceptions set forth in CPLR §1602.

31. That by reason of the foregoing, Plaintiff has been damaged in a sum that exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

AS AND OF A SECOND CAUSE OF ACTION  
FOR PROPERTY DAMAGE ON BEHALF OF  
PLAINTIFF ELENA SALVADOR VERAS

32. Plaintiff **SALVADOR VERAS**, repeats, reiterates and realleges each and every allegation contained herein as though fully set forth at length herein with the same force and effect as though fully set forth herein at length.

33. That on September 8, 2021, and at all times hereinafter mentioned, Plaintiff, **SALVADOR VERAS** was the owner of a 2006 Dodge motor vehicle bearing NJ State registration number Z79JHU.

34. That as a result of the aforesaid collision, Plaintiff, **SALVADOR VERAS** motor vehicle was damaged in a sum that exceeds the jurisdictional limits of all lower court which would otherwise have jurisdiction.



**FILED: BRONX COUNTY CLERK 11/04/2021 03:28 PM**

INDEX NO. 815091/2021E

NYSCEF DOC. NO. 1

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**WHEREFORE**, Plaintiff demands judgment against the Defendants herein on all causes of action, in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with the costs of these actions.

Dated: New York, New York  
November 3, 2021

Yours, etc.



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**ROBERT YADGAROV, ESQ.**  
**YADGAROV & ASSOCIATES, PLLC**  
Attorneys for Plaintiff  
**SALVADOR VERAS**  
820 Second Avenue-Suite 1100  
New York, New York 10017  
(212) 581-2500  
Our File: 21-4341

**ATTORNEY'S VERIFICATION**

ROBERT YADGAROV, an attorney duly admitted to practice before the Courts of the State of New York, affirms the following to be true under the penalties of perjury: I am an attorney at YADGAROV & ASSOCIATES, PLLC, attorneys of record for Plaintiff, **SALVADOR VERAS**. I have read the annexed **COMPLAINT** and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

This verification is made by me because Plaintiff is not presently in the county wherein I maintain my offices.

DATED: New York, New York  
November 3, 2021



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**ROBERT YADGAROV, ESQ.**

ATTORNEY(s) : Yadgarov & Associates, PLLC

INDEX # : 815091/2021E

PURCHASED/FILED : November 4, 2021

STATE OF : NEW YORK

COURT : Supreme

COUNTY/DISTRICT : Bronx

**AFFIDAVIT OF SERVICE - SECRETARY OF STATE**

Salvador Veras

Plaintiff(s)

against

A. Dule Pyle, Inc., et al

Defendant(s)

STATE OF NEW YORK ) COUNTY OF ALBANY ) SS CITY OF ALBANY )	<b>DESCRIPTION OF PERSON SERVED:</b> Weight: <u>120 lbs</u> Height: <u>5' 1"</u> Sex: <u>Female</u> Color of skin: <u>White</u> Hair color: <u>Brown</u> Other: _____	Approx. Age: <u>60 yrs</u>
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**Robert Guyette**, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; is not a party to this action, and resides in the State of NY, and that on **November 15, 2021**, at **1:00 PM**, at the office of the Secretary of State of the State of NY, located at 99 Washington Ave, 6th Fl, Albany, New York 12231 deponent served:  
**Summons and Verified Complaint with Notice of Electronic Filing ( Mandatory Case ) and NYSCEF - Bronx County Supreme Court Confirmation Notice**

on


**A. Dule Pyle, Inc.**


the Defendant in this action, by delivering to and leaving with **Nancy Dougherty** AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of \$40 dollars; That said service was made pursuant to Section **BUSINESS CORPORATION LAW §306.**

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Sworn to before me on this

15th day of November, 2021

  
FAITH COZZIT  
NOTARY PUBLIC, State of New York  
No. 01CO6158874, Albany County  
Commission Expires Jan 8, 2023

  
Robert Guyette  
Invoice-Work Order # 2137004  
Attorney File # Veras

NEW YORK  
 SUPREME COURT OF THE STATE OF NEW YORK  
 COUNTY OF BRONX

Attorney: RICHARD M. ASSOCIATES  
 PLLC  
 RECEIVED IN BRONX 12/16/2021

SALVADOR VERAS

Plaintiff(s)

The papers served bore the index # and date of filing.  
 Index # 815091/2021E

- against -

A. DUIE PYLE, INC., ETANO

Defendant(s)

Purchased November 4, 2021  
 File # 21-4341

**AFFIDAVIT OF COMPLIANCE**

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

STEVEN C. AVERY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on November 23, 2021 at 09:00 AM at

SECRETARY OF STATE  
 ALBANY, NY

deponent served the within SUMMONS AND VERIFIED COMPLAINT WITH NOTICE OF ELECTRONIC FILING (MANDATORY) on CARLOS QUINONES MONTANEZ therein named,

**SECRETARY OF STATE** By service upon the N.Y.S. Secretary of State under Section 253 of the Vehicle and Traffic Law by delivering to SUE ZOUKY, LEGAL CLERK, AUTHORIZED to accept thereof, and tendering the required fee of \$10.00.

**MAILING**

Deponent enclosed a copy of same, along with a notice of service upon the Secretary of State, in a postpaid wrapper properly addressed to the Defendant at the Defendant's last known residence at

221 WILLOW STREET  
 NEW BRITAIN, CT 06051

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on November 29, 2021 by CERTIFIED MAIL-RETURN RECEIPT REQUESTED RECEIPT # 000094552995 in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
FEMALE	WHITE	BLONDE	65	5'2	130

RETURN RECEIPT RETURNED SIGNED BUT INDECIPHERABLE.

Also mailed a notice that the N. Y. Secretary of State was served with the legal documents herein described and tendered the statutory fee.

Sworn to me on: December 13, 2021

JOSEPH KNIGHT  
 Notary Public, State of New York  
 No. 01KN6178241  
 Qualified In New York County  
 Commission Expires November 26, 2023

VINETTA BREWER  
 Notary Public, State of New York  
 No. 01BR4949206  
 Qualified in Bronx County  
 Commission Expires April 3, 2023

**STEVEN C. AVERY**

Invoice #: 774856

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressing Label</p> <p style="text-align: center;">CARLOS QUINONES MONTANEZ 221 WILLOW STREET NEW BRITAIN, CT 06051</p>	<p>A. Signature</p> <p style="text-align: center;"><b>X</b> </p> <p style="text-align: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p style="text-align: right;">Address different from item 1? <input type="checkbox"/> Yes delivery address below: <input type="checkbox"/> No</p>
<p style="text-align: center;"></p> <p style="text-align: center;">9590 9402 6905 1104 6514 77</p> <p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7021 0950 0000 9455 2995</p>	<p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Registered Mail</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p> </div> <div style="width: 35%;"> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p> </div> </div> <p><input type="checkbox"/> Certified Mail Restricted Delivery (Red Mail Restricted Delivery \$500)</p>

PS Form 3811, July 2020 PSN 7530-02-000-9053

11/29/21

Domestic Return Receipt